JAN 24 2002 JC174 PATENT & TRADEMARK OFFICE

1617

PTO/SB/17 (11-00)
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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT ($) 80.00

Complete if Known	
Application Number	09/770,901
Filing Date	01/26/01
First Named Inventor	FAOUR, J. et al.
Examiner Name	S. A. Jiang
Group Art Unit	1617
Attorney Docket No.	PHUS-28

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
   - Deposit Account Number
   - Deposit Account Name
   - ☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
   - ☐ Applicant claims small entity status. See 37 CFR 1.27
2. ☐ **Payment Enclosed:** ☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) ($) 0

2. EXTRA CLAIM FEES

	Extra Claims		Fee from below	Fee Paid
Total Claims	52 - 20** =	0	x 18 =	0
Independent Claims	4 - 3** =	1	x 80 =	80
Multiple Dependent			=	

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) ($) 80.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for *ex parte* reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid **SUBTOTAL (3)** ($) 0

SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	Rick Matos	Registration No. (Attorney/Agent)	40,082	Telephone	972-747-7373
Signature				Date	12-20-01

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OIPE JC174 JAN 24 2002 PATENT & TRADEMARK OFFICE

Docket No. PHUS-28

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent application of: §
FAOUR, J. et al. §
§
Serial No.: 09/770,901 § Group Art Unit: 1617
Filed: January 26, 2001 § Examiner: Shaojia A. Jiang

For: Pharmaceutical compositions containing A COX-II inhibitor and a muscle relaxant

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on December 20, 2001.

Rick Matos
Typed or printed name of person mailing paper

Signature of person mailing paper

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RHarmon
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Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

AMENDMENT

In response to the Office Action mailed September 28, 2001, Applicants hereby submit the following response. Please amend the application as follows.

IN THE CLAIMS

7) (Amended) The pharmaceutical composition of claim 1, wherein the muscle relaxant is selected from the group consisting of alcuronium, alosetron, aminophylline, baclofen, carisoprodol [(SOMA®)], chlorphenesin, chlorphenesin carbamate, chlorzoxazone [(PARAFON FORTE®)], chlormezanone, cyclobenzaprine [(FLEXERIL®)], dantrolene, decamethonium, diazepam, dyphylline, eperisione, ethaverine, gallamine triethiodide, hexafluorenium, mephenesin, metaxalone [(SKELAXIN®)], methocarbamol [(ROBAXIN®)], metocurine iodide, orphenadrine [(NORFLEX®)], pancuronium, papaverine, pipecuronium, pridinol [(pridinolum)], succinylcholine, theophylline, tizanidine, tolperisone, tubocurarine, vecuronium, idrocilamide, ligustilide, cnidilide, and senkyunolide.

8) (Amended) The pharmaceutical composition of claim 1, wherein the COX-II inhibitor is selected from the group consisting of rofecoxib [(VIOXX™, MK-0966)], celecoxib [(CELEBREX™, SC-58635)], flosulide [(CGP-28238)], NS-398, DUP-697, meloxicam, 6-methoxy-2-naphthylacetic acid [(6-MNA)], nabumetone [(prodrug for 6-MNA)], etodolac, nimesulide, SC-5766, SC-58215, T-614, and combinations thereof.

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01 FC:197 80.00 OP